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IN THE UNITED STATES DISTRICT COURT
DISTRICT OF UTAH

UNITED STATES OF AMERICA,

Petitioner,

v.

Custodian of Records for the State of Utah

Respondent.

Misc. No. 2:19-CV-00510-DAK

Action To Enforce Subpoena
By Department of Justice
Office of Inspector General

**PETITION FOR SUMMARY ENFORCEMENT
OF INSPECTOR GENERAL SUBPOENA**

The United States of America respectfully petitions the Court for summary enforcement of an administrative subpoena *duces tecum* issued by the United States Department of Justice Office of the Inspector General (Inspector General) pursuant section 6(a)(4) the Inspector General Act of 1978, 5 U.S.C. app. 3 §§ 1-12 (the “Inspector General Act of 1978”), and served upon Respondent.

In support of this Petition, the United States avers as follows:

1. Subject matter jurisdiction is conferred upon this Court by § 6(a)(4) of the Inspector General Act of 1978, and by 28 U.S.C. §§ 1331 and 1345.

2. Venue is proper in this Court under 28 U.S.C. § 1391(b).

3. Petitioner is the United States of America.

4. Respondent is the State of Utah.

5. On April 1, 2019, Michael E. Horowitz, United States Department of Justice Inspector General, signed and issued a subpoena *duces tecum* to Respondent's Custodian of Records. The subpoena was issued pursuant to the Inspector General Act of 1978, which authorizes the Inspector General to subpoena records as part of its responsibility to investigate and identify fraud and abuse in the Department of Justice's programs and operations. *See* 5 U.S.C. App. § 4(a)(1), (3)-(5). A true and correct copy of the subpoena and return of service are attached as Exhibit A.

6. The subpoena was issued to obtain certain records belonging to Respondent that relate to an investigation of Respondent's use of grant monies obtained from the Department of Justice from 2009-2011. The purpose of the subpoena is to determine whether Respondent failed to meet its legal and contractual responsibilities when executing the grants with the Department of Justice.

7. The subpoena was personally served upon an Assistant Attorney General on April 2, 2019. Ex. A. The subpoena commanded that responsive documents be produced to Special Agent Cynthia Roberts, DOJ Inspector General, on April 29, 2019. Production was to take place at the Office of the Inspector General, 2505 North Highway 360, Suite 410, Grand Prairie, Texas, or could be mailed to the Office of the Inspector General.

8. Respondent has failed to produce a single document in response to the subpoena.

9. The United States has formally requested that Respondent fully comply with the subpoena, but it has refused to do so without any stated reason.

10. The subpoena is fully authorized and in all other respects proper and entitled to summary enforcement by this Court.

WHEREFORE, Petitioner respectfully requests this Court to enter an Order requiring Respondent to produce forthwith all documents and material described in the subpoena before a duly authorized representative of the DOJ Inspector General.

FACTUAL BACKGROUND

This matter arises [REDACTED] the False Claims Act, 31 U.S.C. §§ 3729-3733 (FCA) [REDACTED]. The FCA creates a cause of action against defendants who present false or fraudulent claims to the United States. 31 U.S.C. § 3729(a). [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED] alleges that from 2009 to 2013, the [REDACTED] Respondent, submitted and/or assisted in the submission of applications for grant solicitations through the Bureau of Justice Assistance (“BJA”), and the Office of Juvenile Justice and Delinquency Prevention

(“OJJDP”), entities of the United States Department of Justice Office of Justice Programs.¹ The BJA and OJJDP grants were subsequently awarded as identified in the following table:

Grant No. and Recipient	Solicitation Type
2009-SU-B9-0045 — Utah Commission on Criminal and Juvenile Justice (CCJJ) <ul style="list-style-type: none"> <li data-bbox="251 629 968 705">– Subgrant <u>9AR02</u> — Utah Administrative Office of the Courts (AOC) <li data-bbox="251 705 968 781">– Subgrant <u>9AR03</u> — Utah Department of Public Safety (DPS) <li data-bbox="251 781 968 857">– Subgrant <u>9AR04</u> — Utah Juvenile Justice Services (JJS) 	Recovery Act: Edward Byrne Memorial Justice Assistance Grant (JAG) Formula Program: State Solicitation (BJA)
2009-SC-B9-0140 — Utah Office of the Attorney General (OAG)	Recovery Act: Edward Byrne Memorial Competitive Grant (BJA)
2009-SN-B9-K045 — Utah Office of the Attorney General (OAG)	OJJDP FY 09 Recovery Act Internet Crimes Against Children Task Force Program (OJJDP)
2009-MC-CX-K053 — Utah Office of the Attorney General (OAG)	OJJDP FY 09 Internet Crimes Against Children Program Continuation (OJJDP)

[REDACTED] alleges that all grant recipients are impliedly and expressly required to comply with all legal, administrative, and programmatic requirements governing the use of the BJA and OJJDP grants. Specifically, [REDACTED] contends that the Respondent falsely represented that the above-listed agencies lost jobs due to budget cuts in order to obtain the grant funding and made false certifications of compliance with federal statutory non-supplanting and economic recovery mandates, resulting in the grantees and sub-grantees receiving monies they were not entitled to.

¹ [REDACTED]

On April 1, 2019, in furtherance of the investigation [REDACTED] Michael E. Horowitz, United States Department of Justice Inspector General, signed and issued a subpoena for certain records possessed by the Respondent. Ex. A. Specifically, the subpoena seeks production of: 1) documents and communications referencing job creation, backfills, and/or retention for the above-referenced grants and related sub-grants; 2) personnel records for employees funded by the above-referenced grants and related sub-grants; 3) documents and communications relating to hiring and employee transferring practices created or used between 2008-2015 for AOC, DPS, and JJS; 4) documents and communications that relate to complaints, objections, inquiries or investigations regarding AOC's, DPS', or JJS' job creation and/retention during the time of the referenced grants; and 5) CCJJ general ledgers and journal entries from November and December 2009.²

The subpoena required production of the requested documents by April 29, 2019. The Respondent produced no documents by that date. The United States contacted the Respondent's Attorney General's Office numerous times by phone and e-mail to request compliance with the subpoena. Many of the United States' requests were met with promises to produce documents, but no documents have ever been produced by the Respondent. Because of the importance of the Inspector General's investigation, the United States now requests that this Court summarily enforce the subpoena issued to the Respondent.

² Notably, with respect to requests relating to the specific grants, the Respondent, pursuant to a civil investigative demand requesting nearly identical information, previously produced documents relating to grants not identified here.

DISCUSSION

The Inspector General Act of 1978, as amended, creates independent Inspectors General in the Department of Justice and other federal agencies who are responsible for overseeing the integrity of agency programs and the conduct of agency contractors. 5 U.S.C. App. 3 §§ 1-12; *see AirTrans, Inc. v. Mead*, 389 F.3d 594, 599 (6th Cir. 2004); *Burlington Northern R.R. Co. v. Office of Inspector Gen., R.R. Ret. Bd.*, 983 F.2d 631, 634-35 (5th Cir. 1993). Under the Inspector General Act of 1978, the duties of the Inspector General of the Department of Justice include: (i) preventing and detecting fraud and abuse in the Department of Justice's programs and operations, 5 U.S.C. App. 3 § 4(a)(3); (ii) conducting, supervising, and coordinating audits and investigations relating to the Department of Justice's programs and operations, 5 U.S.C. App. 3 § 4(a)(1); (iii) helping identify and prosecute those participating in defrauding the Department of Justice's programs, 5 U.S.C. App. 3 § 4(a)(4)(B); (iv) identifying deficiencies in the administration of the Department of Justice's programs and recommending corrective action, 5 U.S.C. App. 3 § 4(a)(5).

In furtherance of this mandate, Congress has given the Inspectors General broad subpoena power:

[E]ach Inspector General, in carrying out the provisions of this Act, is authorized *** to require by subpoena the production of all information, documents, reports, answers, records, accounts, papers, and other data in any medium (including electronically stored information), as well as any tangible thing and documentary evidence necessary in the performance of the functions assigned by this Act, which subpoena, in the case of contumacy or refusal to obey, shall be enforceable by order of any appropriate United States district court [...].

5 U.S.C. App. 3 § 6(a)(4); *see also Burlington Northern*, 983 F.2d at 641 ("[T]he Inspector General Act of 1978 gives Inspectors General *broad* – not limited – investigatory and subpoena

powers.”) (emphasis in original). In the event of noncompliance, the subpoena is enforceable “by order of any appropriate United States district court.” 5 U.S.C. App. 3 § 6(a)(4).

A. The Subpoena Satisfies the Prerequisites for Summary Enforcement.

The role of the district court in evaluating a request for enforcement of an administrative subpoena is “strictly limited.” *United States v. Comley*, 890 F.2d 539, 541 (1st Cir. 1989). Subpoena enforcement proceedings are meant to be “summary in nature,” as long as the agency’s assertion of authority “is not obviously apocryphal, a procedurally sound subpoena must be enforced.” *United States v. Sturm, Ruger & Co.*, 84 F.3d 1, 5–6 (1st Cir. 1996). Enforcement is proper where the reviewing court determines that “[1] the inquiry is within the authority of the agency, [2] the demand is not too indefinite and [3] the information sought is reasonably relevant.” *United States v. Morton Salt Co.*, 338 U.S. 632, 652 (1950); *see SEC v. Blackfoot Bituminous, Inc.*, 622 F.2d 512, 514 (10th Cir. 1980) (citing *Morton Salt*); *see also Burlington Northern*, 983 F.2d at 638 (expressly applying standard to Inspector General subpoenas).

Enforcement proceedings necessarily must be limited in scope to protect “the important governmental interests in the expeditious investigation of possible unlawful activity.” *F.T.C. v. Texaco, Inc.*, 555 F.2d 862, 872 (D.C. Cir. 1977). An agency’s investigations “should not be bogged down by premature challenges to its regulatory jurisdiction.” *Sturm, Ruger & Co.*, 84 F.3d at 5. To ensure the summary nature of enforcement proceedings, the United States is authorized to rely on affidavits or declarations of government officials to demonstrate that the requirements for enforcement of an administrative subpoena have been satisfied. *See Comley*, 890 F.2d at 541. As demonstrated by the accompanying Declaration of Special Agent Cynthia Roberts, attached

hereto as Exhibit B, summary enforcement of the subpoena issued to the Respondent is both appropriate and necessary.

In this case, the Respondent subpoena satisfies each of the prerequisites for summary enforcement of an Inspector General subpoena. First, the investigation and subpoena are within the Inspector General's authority. The Inspector General's Office issued the subpoena pursuant to an investigation of allegations [REDACTED] that the Respondent submitted false statements in connection with DOJ grants. This investigation therefore falls squarely within the Inspector General's express authority under the Inspector General Act of 1978 to investigate fraud and abuse in the Department of Justice's programs and operations. *See* 5 U.S.C. App. 3 § 4(a)(3). Accordingly, the subpoena addressed to the Respondent constitutes a lawful exercise of the Inspector General's statutory authority and that subpoena authority extends to state governments. *See id.* § 6(a)(3)-(4).

Second, the subpoena is not indefinite or unduly burdensome. The subpoena seeks particularized categories of readily definable documents, as detailed above. *See Oklahoma Press Pub. Co. v. Walling*, 327 U.S. 186, 208 (1946) (particularized description of documents being requested guards against indefiniteness). Moreover, "the question is whether the demand is unduly burdensome or unreasonably broad. Some burden on subpoenaed parties is to be expected and is necessary in furtherance of the agency's legitimate inquiry and the public interest." *Texaco*, 555 F.2d at 882. Only if compliance with the subpoena "threatens to unduly disrupt or seriously hinder" Respondent's normal operations should a court modify the subpoena's scope. *Id.* In this case, the subpoena can be executed without undue burden on the Respondent or interruption of its operations through the cooperation of Petitioner's agents and the Respondent in reducing any such

burden to the extent practicable. *See Morton Salt*, 338 U.S. at 653 (subpoena recipients must make effort to “obtain reasonable conditions” to reduce burden of complying with subpoena). Moreover, the Respondent has previously produced similar records in response to nearly identical requests for documents related to other grants. For these reasons, any claims of indefiniteness or undue burden should be rejected.

Finally, the materials sought are reasonably relevant to the purpose of DOJ Inspector General’s inquiry. Because investigatory subpoena “must by their very nature be broad,” it is not for the reviewing court to determine whether the information sought is relevant to whatever eventual action the agency might take. *United States v. Firestone Tire & Rubber Co.*, 455 F. Supp. 1072, 1083 (D.D.C. 1978). The Court’s inquiry is limited to whether the requested information, “however broad,” is relevant to the “general purpose” of the investigation. *Id.* Here, the subpoena seeks documents that go directly to the question of whether the Respondent failed to comply with the non-supplanting and economic recovery mandates of the grants. The Inspector General seeks documents that are expected to contain information regarding the hiring and retention practices of employees funded under the identified grants, as well as the policies and procedures followed by the grantees and sub-grantees. Accordingly, the information requested from the Respondent is relevant to the “general purpose” of the Inspector General’s investigation.

B. The State of Utah Refuses to Comply with the Subpoena.

The Respondent has made no attempt to produce any documents in compliance with the subpoena. After issuance of the subpoena, the United States requested the Respondent’s compliance a number of time by phone and e-mail. During these conservations, the Respondent promised to produce some documents in compliance with the subpoena, but no documents were

ever produced. Respondent repeatedly said that the documents were being gathered by various employees but the employees for some reason were not able to finish gathering the requested documents.

CONCLUSION

For the foregoing reasons, the United States respectfully requests that the Court grant the United States' Petition for summary enforcement of the Inspector General's subpoena issued to the Respondent and enter an Order requiring the Respondent to produce by a date certain documents and materials described in the subpoena.

Respectfully submitted this 19th day of July, 2019.

JOHN W. HUBER
United States Attorney
District of Utah

Sandra L. Steinvoort
SANDRA L. STEINVOORT
JOEL A. FERRE
Assistant United States Attorneys
District of Utah

Exhibit A



Office of the Inspector General

DEPARTMENT OF JUSTICE
Washington, D.C.

RETURN OF SERVICE

I hereby certify that on 4/2/19, at or about
Time _____ at Salt Lake City, Utah, I personally
served this subpoena upon J. Michael Hansen,
Assistant Attorney General.
Name
Position or Title

By:

Cynthia M. Roberts

Name

Special Agent

Title

Acknowledgement of Subpoena Receipt

I acknowledge that the attached subpoena was served upon me.

By:

J. Michael Hansen

Name

Assistant Utah Attorney General

Title

Date:

April 2, 2019

Exhibit B



**IN THE UNITED STATES DISTRICT COURT
DISTRICT OF UTAH**

UNITED STATES OF AMERICA *ex rel.*
REGINALD WILLIAMS,

Petitioner,

v.

Custodian of Records for the State of Utah

Respondent.

Misc. No. 2:19-CV-00510-DAK

Declaration In Support Of Action To Enforce
Subpoena By Department of Justice
Office of Inspector General

**DECLARATION OF CYNTHIA ROBERTS, SPECIAL AGENT,
DEPARTMENT OF JUSTICE OFFICE OF INSPECTOR GENERAL**

I, Cynthia Roberts, do state and declare as follows:

1. I am a Special Agent for the United States Department of Justice (“DOJ”) Office of the Inspector General (“Inspector General”). I have been assigned to the Inspector General’s investigation into whether the State of Utah made false claims and statements regarding grants received from the DOJ in violation of the False Claims Act, 31 U.S.C. §§ 3729-33. This declaration is submitted in support of the United States’ Petition for Summary Enforcement of a subpoena issued to the State of Utah in furtherance of that investigation and is based on personal knowledge obtained by me in the course of my official duties.

2. The Inspector General is responsible for safeguarding the integrity of DOJ programs and money. Congress has specifically instructed the Inspector General by the Inspector General Act of 1978 to conduct audits and investigations related to the programs and operations of DOJ in order to detect, investigate and prevent fraud and abuse in such programs

and operations. The Bureau of Justice Assistance (“BJA”) and the Office of Juvenile Justice and Delinquency Prevention (“OJJDP”) are entities under the United States Department of Justice, Office of Justice Programs for which the DOJ Inspector General has statutory oversight. BJA and OJJDP administer grants to local, state, and tribal governments to reduce violent and drug-related crime, support law enforcement, and combat victimization, and to develop and implement effective programs for juveniles, respectively.

3. This investigation commenced in approximately January 2015 [REDACTED]

[REDACTED] pursuant to the False Claims Act, 31 U.S.C. § 3730(b).¹ As identified in the table below, the Utah State government was awarded grant funding by the BJA and OJJDP from 2009 through 2011.

Grant No. and Recipient	Solicitation Type
2009-SU-B9-0045 — Utah Commission on Criminal and Juvenile Justice (CCJJ) <ul style="list-style-type: none"> <li data-bbox="246 1227 965 1290">– Subgrant <u>9AR02</u> — Utah Administrative Office of the Courts (AOC) <li data-bbox="246 1290 965 1353">– Subgrant <u>9AR03</u> — Utah Department of Public Safety (DPS) <li data-bbox="246 1353 965 1417">– Subgrant <u>9AR04</u> — Utah Juvenile Justice Services (JJS) 	Recovery Act: Edward Byrne Memorial Justice Assistance Grant (JAG) Formula Program: State Solicitation (BJA)
2009-SC-B9-0140 — Utah Office of the Attorney General (OAG)	Recovery Act: Edward Byrne Memorial Competitive Grant (BJA)
2009-SN-B9-K045 — Utah Office of the Attorney General (OAG)	OJJDP FY 09 Recovery Act Internet Crimes Against Children Task Force Program (OJJDP)
2009-MC-CX-K053 — Utah Office of the Attorney General (OAG)	OJJDP FY 09, FY 10 and FY 11 Internet Crimes Against Children Program Continuation (OJJDP)

¹ The table is a representative of some, but not all, grants.

4. As a recipient of grants administered by BJA and OJJDP, the Utah State government was required by law and by agreement to comply with the requirements of the grants. Specifically, at issue here, Grants 2009-SU-B9-0045, 2009-MC-CX-K053, and 2009-MC-CX-K053 did not allow supplanting, or the use of federal funds to replace funds that had already been appropriated by the state for the same purpose. Department of Justice, Recovery Act: Edward Byrne Memorial Justice Assistance Grant (JAG) Formula Program. ("Byrne Memorial Grant") State Solicitation, <https://www.bja.gov/Funding/JAGrecoveryState.pdf>. States are invited to apply for the Byrne Memorial Grant each year. A solicitation is not posted but rather a letter is sent directly to the state from DOJ regarding the annual grant opportunity.

5. On April 1, 2019, Michael E. Horowitz, United States Department of Justice Inspector General, under the authority of the Inspector General Act of 1978, 5 U.S.C. App. 3 § 6(a)(4), signed and issued a subpoena *duces tecum* for certain records possessed by the State of Utah. A true and correct copy of the subpoena and the return of service are attached as Exhibit A. The subpoena was served on April 2, 2019 to J. Michael Hansen, Assistant Attorney General, Utah Attorney General's Office. Ex. A.

6. Specifically, the subpoena seeks production of: 1) documents and communications referencing job creation, backfills, and/or retention for the above-referenced grants and related subgrants; 2) personnel records for employees funded by the above-referenced grants and related subgrants; 3) documents and communications relating to hiring and employee transferring practices created or used between 2008-2015 for AOC, DPS, and JJS; 4) documents

and communications that relate to complaints, objections, inquiries or investigations regarding AOC's, DPS', or JJS' job creation and/retention during the time of the referenced grants; and 5) CCJJ general ledgers and journal entries from November and December 2009.

7. The subpoenaed records are necessary and relevant to the investigation because they will enable the Inspector General to ascertain whether the grant recipients used the funding appropriately.

8. The subpoena issued to the State of Utah required production of the requested documents by April 29, 2019. The State of Utah did not produce any records by that date, nor did it provide a reason for its failure to do so.

9. The subpoena is not unduly burdensome and the records are indispensable to the proper conduct and completion of the investigation.

I declare under penalty of perjury that the foregoing is true and correct.

Executed this 18 day of July, 2019.


Cynthia M. Roberts
Cynthia Roberts
Special Agent
Office of the Inspector General
U.S. Department of Justice

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS

United States of America

(b) County of Residence of First Listed Plaintiff _____
(EXCEPT IN U.S. PLAINTIFF CASES)(c) Attorneys (Firm Name, Address, and Telephone Number)
Sandra L. Steinvoort
111 S Main, Suite 1800
Salt Lake City UT 84111**DEFENDANTS**

Custodian of Records for the State of Utah

County of Residence of First Listed Defendant _____
(IN U.S. PLAINTIFF CASES ONLY)NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF
THE TRACT OF LAND INVOLVED.Attorneys (If Known)
Michael Hansen
160 E 300 S, 5th FL
Salt Lake City UT 84114-0857**II. BASIS OF JURISDICTION** (Place an "X" in One Box Only)

- | | |
|---|--|
| <input checked="" type="checkbox"/> 1 U.S. Government Plaintiff | <input type="checkbox"/> 3 Federal Question (U.S. Government Not a Party) |
| <input type="checkbox"/> 2 U.S. Government Defendant | <input type="checkbox"/> 4 Diversity (Indicate Citizenship of Parties in Item III) |

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

Citizen of This State	PTF	DEF	PTF	DEF
	<input type="checkbox"/> 1	<input type="checkbox"/> 1	<input type="checkbox"/> 4	<input type="checkbox"/> 4
Citizen of Another State	<input type="checkbox"/> 2	<input type="checkbox"/> 2	<input type="checkbox"/> 5	<input type="checkbox"/> 5
Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3	<input type="checkbox"/> 3	<input type="checkbox"/> 6	<input type="checkbox"/> 6

IV. NATURE OF SUIT (Place an "X" in One Box Only)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Medical Malpractice	PERSONAL INJURY <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 367 Health Care/ Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 835 Patent - Abbreviated New Drug Application <input type="checkbox"/> 840 Trademark
REAL PROPERTY	CIVIL RIGHTS	PRISONER PETITIONS	SOCIAL SECURITY	<input checked="" type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 376 Qui Tam (31 USC 3729(a)) <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 485 Telephone Consumer Protection Act <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 850 Securities/Commodities/ Exchange <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input type="checkbox"/> 950 Constitutionality of State Statutes
	<input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	Habeas Corpus: <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/ Accommodations <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 448 Education	<input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty Other: <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement	<input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Management Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Retirement Income Security Act
			FEDERAL TAX SUITS	<input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g))
			IMMIGRATION	<input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 465 Other Immigration Actions

V. ORIGIN (Place an "X" in One Box Only)

- | | | | | | | |
|---|---|--|---|--|--|---|
| <input checked="" type="checkbox"/> 1 Original Proceeding | <input type="checkbox"/> 2 Removed from State Court | <input type="checkbox"/> 3 Remanded from Appellate Court | <input type="checkbox"/> 4 Reinstated or Reopened | <input type="checkbox"/> 5 Transferred from Another District (specify) _____ | <input type="checkbox"/> 6 Multidistrict Litigation - Transfer | <input type="checkbox"/> 8 Multidistrict Litigation - Direct File |
|---|---|--|---|--|--|---|

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):
31 U.S.C. Section 3729-3733**VI. CAUSE OF ACTION**Brief description of cause:
Enforcement of Office Of Inspector General Subpoena**VII. REQUESTED IN COMPLAINT:** CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P. DEMAND \$ CHECK YES only if demanded in complaint:
JURY DEMAND: Yes No**VIII. RELATED CASE(S) IF ANY**

(See instructions):

JUDGE Robert J. Shelby

DOCKET NUMBER 2:15-cv-00054

DATE

07/19/18

SIGNATURE OF ATTORNEY OF RECORD

Sandra L. Steinvoort

FOR OFFICE USE ONLY

RECEIPT #

AMOUNT

APPLYING IFP

JUDGE

MAG. JUDGE